

## INSTRUCTIONS

Please read carefully. An incomplete application may be returned to you, causing a delay in the processing of your application. If you need more space to complete an answer, add continuation sheets.

### 1. May you file for TPS?

You must be an eligible national of a foreign state (or parts thereof) or an alien having no nationality who last habitually resided in a foreign state that has been designated for Temporary Protected Status (TPS) by the Attorney General pursuant to section 244A of the Immigration and Nationality Act. You should check with the nearest office of the Immigration and Naturalization Service (INS) for designations currently in force, or visit the INS website at [www.ins.usdoj.gov](http://www.ins.usdoj.gov).

### 2. What documents do you need?

*You do not need to provide original documents with this application.* You must give INS copies of documents to prove you are a national of the country designated for Temporary Protected Status, your date of entry into the United States, and your residence in the United States.

- A. INS may still require original documents from you in certain circumstances.
- B. Copies of documents in a foreign language must be accompanied by an English translation. The translator must certify that the translation is accurate and that he or she is competent to translate the foreign language into English.
- C. **Exception:** If you are filing this application for annual registration/re-registration purposes (Parts 1 and 2 on Form I-821), you do not have to submit any copies of documentation. You may, however, be asked for additional information and/or documentation in certain circumstances.

### 3. What documents do you need to prove identity and nationality?

Submit any of the following:

- A. Passport;
- B. Birth certificate accompanied by photo identification; or
- C. Any national identity document from your country of origin bearing your photo and/or fingerprint.

### 4. What documents do you need to prove date of entry into the United States?

Submit any of the following:

- A. Passport;
- B. I-94 Arrival/Departure Record;
- C. Copies of documents specified in item Number 5, immediately below.

### 5. What documents do you need to prove residence in the United States?

Submit any relevant documents such as:

- A. Employment records (e.g. pay stubs, W-2 Forms, certification of the filing of Federal income tax returns, state verification of the filing of state income tax returns, letters from employer(s) or, if you are self employed, letters from banks and other firms with whom you have done business.

In all of these documents, your name and the name of the employer or other interested organization must appear on the form or letter, as well as relevant dates. Letters from employers must be in affidavit form and shall be signed and attested to by the employer under penalty of perjury.

Such letters must include: (1) your address(es) at the time of employment; (2) exact period(s) of employment; (3) period(s) of layoff; (4) duties with the company. If the records are unavailable, an affidavit form-letter stating that your employment records are unavailable and why such records are unavailable may be accepted. This affidavit form-letter shall be signed and attested to by the employer under penalty of perjury.

- B. Rent receipts, utility bills (gas, electric, phone, etc.), receipts, or letters from companies showing the dates during which you received service.
- C. School records (letters, report cards, etc.) from the schools that you or your children have attended in the United States showing the name(s) of the schools and periods of school attendance.
- D. Hospital or medical records concerning treatment or hospitalization of you or your children, showing the name of the medical facility or physician and the date(s) of the treatment or hospitalization.
- E. Attestations by churches, unions or other organizations to your residence by letter that identify you by name; are signed by an official (whose title is shown); show inclusive dates of membership; state the address where you resided during membership period(s); include the seal of the organization impressed on the letter or the letterhead of the organization, if the organization has letterhead stationery; establish how the author knows you; and establish the origin of the information being attested to.
- F. Additional documents may include money order receipts for money sent in or out of the country; passport entries; birth certificates of children born in the United States; bank books with dated transactions; correspondence between you and another person or organization; Social Security card; Selective Service card; automobile license receipts, title, vehicle registration, etc.; deeds, mortgages, contracts to which you have been a party; tax receipts; insurance policies; receipts; or letters; or

### 6. What if documents are not available?

- G. Any other relevant document.

If documents are not available, you may give INS an affidavit showing proof of unsuccessful efforts to obtain the documents, explaining why the consular process is

unavailable (for identity documents), and affirming that you are a national of the designated state. Affidavits may also be used to help prove date of entry into the United States and residence in the United States. (INS may require a statement from the appropriate issuing authority, certifying that the needed document is not available.)

### 7. What else is required to be submitted with this application?

Submit two color photos of you taken within 30 days of the date of this application. The photos must have a white background, must be glossy, unretouched and not mounted. The dimension of the facial image should be about one inch from the chin to the top of the hair in a 3/4 frontal view, showing the right side of the face with the right ear visible. Using pencil or felt pen, lightly print name (and Alien Registration Number, if any) on the back of the photographs.

### 8. How should you prepare this form?

- A. Type or print legibly in black or dark blue ink.
- B. If you need extra space to complete any item, attach a continuation sheet, indicate the item number and date and sign each sheet.
- C. Answer all questions fully and accurately. If any item does not apply, please write "N/A."

### 9. Where should you file this form?

The INS office having jurisdiction over your place of residence will accept this application, either in person or through the mail, or both. You should inquire at the local INS office for filing instructions.

### 10. What is the fee?

First time applicants for Temporary Protected Status must pay a \$50.00 application fee and a separate fee of \$50.00 for fingerprinting services. There is no application fee for re-registration. All fees, except those presented when filing in person, must be in the form of a money order, cashier's check or certified bank check. **NO PERSONAL CHECKS OF ANY TYPE WILL BE ACCEPTED.** Cash is acceptable only when you present an application in person. **DO NOT MAIL CASH.**

All money orders, cashier's checks or certified bank checks must be made payable in U.S. currency at a financial institution in the United States. Please assure that if a check or money order is drawn on the account of a person other than yourself, your name appears in the lower left corner on the face of the check or money order. If the check is not honored, INS will charge you \$30.00.

Make the check or money order payable to "Immigration and Naturalization Service," except:

- A. if you live in Guam and are filing your application there, make the check or money order payable to "Treasurer, Guam" or
- B. if you live in the U.S. Virgin Islands and you are filing your application there, make the check or money order payable to "Commissioner of Finance of the Virgin Islands."

### 11. Employment authorization and travel.

- A. Form I-765 is required for all TPS applicants, regardless of age, and regardless whether employment authorization is sought because the I-765 is the data entry document used for the Temporary Protected Status Program.

You may be charged a fee for filing the I-765, depending on the differing statutory and regulatory requirements that apply to you. Generally, if you need an employment authorization document, you must pay the application fee.

- B. If your application for Temporary Protected Status is granted and you want to travel outside the United States and return, you must request advance parole from the INS district director having jurisdiction over your residence and pay the prescribed fee. A Form I-512 travel document will be issued to you if your request for advance parole is granted.

### 12. May the filing fees for Forms I-821 and I-765 be waived?

Yes. If you are poor and unable to pay the filing fees, 8 CFR 103.7(c) states that you may apply for a waiver of the filing fees. In order to obtain a fee waiver, you must submit with these forms a written statement, made under oath, affirmation, or pursuant to 28 USC 1746, under penalty of perjury. In the written statement you must indicate that you believe you are eligible for Temporary Protected Status and that you want the filing fees waived. You must also indicate why you are unable to pay the required fees.

### 13. Do TPS applicants need to be fingerprinted?

If you are over the age of 14 years and filing for Temporary Protected Status for the first time, you need to be fingerprinted. You must submit the required fingerprinting \$50.00 fee with your application.

After receiving your application, the INS will provide you with an appointment letter advising you where and when to get your fingerprints taken at an INS authorized fingerprinting site.

**NOTE:** If you are filing this application for TPS annual/re-registration purposes, you do not need to be fingerprinted.

### 14. What is our authority for collecting information?

We request the information on the form to carry out the immigration laws contained in Title 8, United States Code, Section 1154(a). We need this information to determine whether you are eligible for immigration benefits. The information you provide may also be disclosed to other federal, state, local, and foreign law enforcement and regulatory agencies. You do not have to give this information. However, if you do not give some or all of it, your application may be denied.

### 15. Reporting burden.

Under the Paperwork Reduction Act, an agency may not conduct or sponsor an information collection. A person is not required to respond to an information collection unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can easily be understood and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete this application is 1 hour and 30 minutes computed as follows: 1) learning about the form and understanding the instructions, 30 minutes; 2) collecting the necessary supporting documents 15 minutes; 3) completing the form, 15 minutes; and 4) traveling to and waiting at a preparer's office (e.g. attorney or voluntary agency), 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, HQPDI, 425 I Street, N.W.; Room 4034, Washington, DC 20536; OMB No. 1115-0170. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

**START HERE - Please Type or Print**

**Part 1. Type of application (check one)**

1. \_\_\_\_\_ This is my first application to register for Temporary Protected Status.  
 2. \_\_\_\_\_ This is my application for annual registration/re-registration. I have previously been granted Temporary Protected Status. I have maintained and continue to maintain the conditions of eligibility for Temporary Protected Status.

**Part 2. Information about you**

Family Name	First	Middle Initial
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**U.S. Mailing Address - Care of**

Street Number and Name	Apt. #
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Town/City	County
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State	Zip Code
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Place of Birth (Town or City)	(State/Country)
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Country of Residence	Country of Citizenship
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Date of Birth (month/day/year)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female
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Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widowed	Other Names Used (including maiden name)
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Date of entry into the U.S.	Place of entry into the U.S.
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Manner of Arrival (Visitor, student, stowaway, without inspection, etc.)

Arrival/Departure Record (I-94) Number	Date authorized stay expired/or will expire, as shown on Form I-94 or I-95
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Your current immigration status  
In status (state nonimmigrant classification, e.g. F-1, etc.)

Out of status (state nonimmigrant violation, e.g., overstay student, EWI etc.)

Alien Registration Number (If any)	Social Security Number (if any)
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Are you now or have you ever been under immigration proceedings?  
 Yes  No Where \_\_\_\_\_ When \_\_\_\_\_  
 Exclusion  Removal/Deportation  Recission  Judicial Proceedings

**Part 3. Information about your spouse and children (if any)**

Last Name of Spouse	First	Middle Initial
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Address (Street Number and Name)	Apt #
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Town/City	State
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Country	Zip/Postal Code
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Continued on next page.

**FOR INS USE ONLY**

Remarks
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Action Stamp
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Fee Stamp
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Case ID#:
A#:

<b>To Be Completed by Attorney or Representative, if any</b> Fill in box if G-28 is attached to represent the applicant
VOLAG#
ATTY State License #

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**Part 3. Information about your spouse and children (continued)**

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Date of Birth	Date and Place of Present Marriage
Name of Prior Husbands/Wives	Date(s) Marriage(s) Ended

List the names, ages and current residence of any children

Name - (Last)	(First)	Middle Initial	Date of Birth	Residence

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**Part 4. Eligibility standards.**

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1. **Fill in the necessary information:**

I am a national of, or an alien having no nationality who last habitually resided in the foreign state \_\_\_\_\_  
and I entered the United States on \_\_\_\_\_, and I have resided in the United States  
since that time.

If any of the statements below apply to you, indicate which one(s) by numbered reference on the line below (for example "2 k") and include a full explanation on a separate sheet(s) of paper. If you were ever arrested, you should provide the disposition (outcome) of the arrest (for example, "case dismissed") from the appropriate authority.

\_\_\_\_\_

**PLEASE NOTE: If you placed any of the following numbered references on the line above, you may be eligible for a waiver of the grounds described in the statements: 2e; 2f; 2g; 2h; 2i; 2j; 2k; 2l; 2m; 2n or 2o. The I-601 or I-724 are INS forms used to request a waiver. These forms are available at local INS offices or by calling the INS toll-free forms line at 1-800-870-3676.**

2. To be eligible for Temporary Protected Status, you must be admissible as an immigrant to the United States, with certain exceptions. Do any of the following apply to you?
- a. have you been convicted of any felony or two or more misdemeanors committed in the United States;
  - b. (i) have you ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group or political opinion;
  - (ii) have you been convicted by a final judgment of a particularly serious crime, constituting a danger to the community of the United States (an alien convicted of an aggravated felony is considered to have committed a particularly serious crime);
  - (iii) have you committed a serious nonpolitical crime outside of the United States prior to your arrival in the United States; or
  - (iv) have you engaged in or are you still engaged in activities that could be reasonable grounds for concluding that you are a danger to the security of the United States;

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**Part 4. Eligibility standards (continued)**

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- c. (i) have you been convicted of, or have you committed acts which constitute the essential elements of a crime (other than a purely political offense) or a violation of or a conspiracy to violate any law relating to a controlled substance as defined in Section 102 of the Controlled Substance Act;
- (ii) have you been convicted of two or more offenses (other than purely political offenses) for which the aggregate sentences to confinement actually imposed were five years or more;
- (iii) have you trafficked in or do you continue to traffic in any controlled substance or are or have been a knowing assister, abettor, conspirator, or colluder with others in the illicit trafficking of any controlled substance;
- (iv) have you engaged or do you continue to engage solely, principally, or incidentally in any activity related to espionage or sabotage or violate any law involving the export of goods, technology, or sensitive information, any other unlawful activity, or any activity the purpose of which is in opposition, or the control, or overthrow of the government of the United States;
- (v) have you engaged in or do you continue to engage in terrorist activities;
- (vi) have you engaged in or do you continue to engage or plan to engage in activities in the United States that would have potentially serious adverse foreign policy consequences for the United States;
- (vii) have you been or do you continue to be a member of the Communist or other totalitarian party, except when membership was involuntary; and
- (viii) have you participated in Nazi persecution or genocide;
- d. have you been arrested, cited, charged, indicted, fined, or imprisoned for breaking or violating any law or ordinance, excluding traffic violations, or been the beneficiary of a pardon, amnesty, rehabilitation decree, other act of clemency or similar action;
- e. have you committed a serious criminal offense in the United States and asserted immunity from prosecution;
- f. have you within the past ten years engaged in prostitution or procurement of prostitution or do you continue to engage in prostitution or procurement of prostitution;
- g. have you been or do you intend to be involved in any other commercial vice;
- h. have you been excluded and deported from the United States within the past year, or have you been deported or removed from the United States at government expense within the last five years (20 years if you have been convicted of an aggravated felony);
- i. have you ever assisted any other person to enter the United States in violation of the law;
- j. (i) do you have a communicable disease of public health significance,
- (ii) do you have or have you had a physical or mental disorder and behavior (or a history of behavior that is likely to recur) associated with the disorder which has posed or may pose a threat to the property, safety or welfare of yourself or others;
- (iii) are you now or have you been a drug abuser or drug addict;
- k. have you entered the United States as a stowaway;
- l. are you subject to a final order for violation of section 274C (producing and/or using false documentation to unlawfully satisfy a requirement of the Immigration and Nationality Act);
- m. do you practice polygamy;
- n. were you the guardian of, and did you accompany another alien who was ordered excluded and deported (or removed) from the United States;
- o. have you detained, retained, or withheld the custody of a child, having a lawful claim to United States citizenship, outside the United States from a United States citizen granted custody?

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**Part 5. Your certification**

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Your certification: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Copies of documents submitted are exact photocopies of unaltered original documents and I understand that I may be required to submit original documents to INS at a later date. Furthermore, I authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit that I am seeking.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

**Signature of person preparing form, if other than above:**

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

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**Part 6. Checklist**

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- Did you answer each question?
- Did you sign the Form I-821 application?
- If you are a first time TPS applicant, did you submit the required application and fingerprinting fees?
- Did you submit the necessary documents and photos, if so required?
- Did you also submit the Form I-765 and fee, if required to pay the fee?

**Have you submitted:**

- the filing fee for this application or a written request for a waiver of the filing fee (see instructions, item 12)?
- supporting evidence to prove identity, nationality, date of entry and residence?
- other required supporting documents (photos, etc.) for each application?

**Do you need additional information?:**

**It is not possible to cover all the conditions for eligibility or to give instructions for every situation. If you have carefully read all the instructions and still have questions, please contact your nearest INS office. It is recommended that you keep a copy of this application and supporting documents for your records. For additional information, call our National Customer Service Center toll-free number at 1-800-375-5283 or visit the INS internet web site at [www.ins.usdoj.gov](http://www.ins.usdoj.gov).**